



X

Atty Dkt 9400-0002
PXE-0007.US
PATENT

#1632
AUG 29 2001
TECH CENTER 1600/2900
RECEIVED

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 21 August 2001.

8/21/01
Date

Susan LaMont
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CONTAG et al.

Serial No.: 09/464,795

Group Art Unit: 1632

Filing Date: December 16, 1999

Examiner: R. Shukla

Title: NON-INVASIVE EVALUATION OF PHYSIOLOGICAL RESPONSE IN
A MAMMAL

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is an Information Disclosure Statement under 37 C.F.R. §1.97(c)(2), including a Form PTO-1449 and copies of the cited references. The Information Disclosure Statement transmitted herewith is being filed before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application. Applicant submits the fee of \$180 set forth in 37 C.F.R. §1.17(p).

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 21 Aug 2001

By: Gary R. Fabian
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicants

XENOGEN CORPORATION
860 Atlantic Avenue
Alameda, CA 94501
Telephone: 510-291-6135
Facsimile: 510-291-6134

Atty Dkt 9400-0002
PXE-0007.US
PATENT

TECH CENTER 1600/2900

AUG 29 2001

RECEIVED

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 21 August 2001

8/21/01
Date

Susan LaMont
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CONTAG and ZHANG

Serial No.: 09/464,795

Group Art Unit: 1632

Filing Date: December 16, 1999

Examiner: R. Shukla

Title: NON-INVASIVE EVALUATION OF PHYSIOLOGICAL RESPONSE IN A MAMMAL

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

United States Patent No. 5,650,135 issued July 22, 1997 to Contag et al.;
United States Patent No. 6,020,121 issued February 1, 2000 to Bao et al.;
United States Patent No. 6,217,847 issued April 17, 2001 to Contag et al.;
International Publication No. WO 96/40979 A1 published December 19, 1996;
International Publication No. WO 97/11690 A2, A3 published April 3, 1997;
International Publication No. WO 97/18841 published May 29, 1997;
International Publication No. WO 97/40381 A1 published October 30, 1997;
International Publication No. WO 00/36106 published June 22, 2000;
International Publication No. WO 00/54581 A2 published September 21, 2000;

RECEIVED

AUG 29 2001

TECH CENTER 1600/2900

Atty No. 9400-0002
(PXE-0007.US)
USSN: 09/464,795
PATENT

International Publication No. WO 00/54581 A3 published September 21, 2000;
International Publication No. WO 01/18195 A2 published March 15, 2001;
International Publication No. WO 01/18225 A1 published March 15, 2001; and
International Publication No. WO 01/37195 A2 published May 25, 2001.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

Date: 21 Aug 2001

By: Gary R Fabian
Gary R. Fabian
Registration No. 33,875
Patent Agent for Applicants

XENOGEN CORPORATION
860 Atlantic Avenue
Alameda, CA 94501
Phone: 510-291-6135
Fax: 510-291-6134